

CHAPTER 5. OVERLAY DISTRICTS

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Article 5.1. General Provisions

Sec. 5.1.1. District Intent Statements

A. General Purpose

1. The intent of the Overlay Districts is to apply regulations that achieve a specific purpose to a targeted area.
2. If a use is prohibited in either an applicable Overlay District or the underlying district, then that use is prohibited, even though one of the districts allows the use. The enumeration of expressly prohibited uses shall not be deemed either exclusive or all-inclusive.
3. In the event of a conflict with underlying zoning, the overlay standards shall apply.

B. Environmental Overlays

1. Airport Overlay District (-AOD)

- a. The -AOD protects the efficiency and long term usefulness of area aviation facilities, highways, arterials, and major streets by controlling the type and design of land uses in proximity to such facilities.
- b. Provisions are made to ensure the attractiveness of this significant gateway to the City, and to protect the public from adverse health effects and annoyance by aircraft noise.
- c. Residential and similar uses are prohibited in the -AOD. The uses permitted are better able to protect themselves from aircraft noise, and implement the functions of the airport.

2. Metro Park Overlay District (-MPOD)

- a. The -MPOD preserves and protects the integrity of large natural parks that serve the citizens of Raleigh, the region and the state.
- b. Parks are protected from incompatible uses and intense developments, by the application of impervious surfaces and building height limits near the boundaries of any Metro-Park.
- c. In general, land in a -MPOD is approximately 1,000 to 1,500 feet deep, as measured from the boundaries of the Metro-Park, and follows identifiable features or boundaries, wherever possible.

3. Urban Watershed Protection Overlay District (-UWPOD)

- a. The -UWPOD is intended to protect the integrity of drinking water of Raleigh and surrounding communities, so as to provide clean and safe water for residents, business, industries, plant and animal life at a reasonable cost.
- b. The -UWPOD is applicable to Class WS-IV waters only and is divided into two areas: a primary water supply watershed protection area and a secondary water supply watershed protection area.
- c. Regulations in the -UWPOD include impervious surface limitations and natural resource buffer yards. Use limitations are imposed by this District.

4. Falls Watershed Protection Overlay District (-FWPOD)

- a. The -FWPOD is intended to protect the integrity of drinking water of Raleigh and surrounding communities, so as to provide clean and safe water for residents, businesses, industries, plant and animal life at a reasonable cost.
- b. The -FWPOD is divided into two areas: a primary reservoir watershed protection area and a secondary reservoir watershed protection area.
- c. Regulations in the -FWPOD include impervious surface limitations and natural resource buffer yards. Along watercourses, additional design standards are applied. Use limitations are imposed by this District.

5. Swift Creek Watershed Protection Overlay District (-SWPOD)

- a. The -SWPOD is intended to protect the integrity of drinking water of Raleigh and surrounding communities, so as to provide clean and safe water for residents, businesses, industries, plant and animal life at a reasonable cost.
- b. The -SWPOD is divided into two areas: a primary reservoir watershed protection area and a secondary reservoir watershed protection area.
- c. Regulations in the -SWPOD include impervious surface limitations and natural resource buffer yards. Along watercourses, additional design standards are applied. Use limitations are imposed by this District.

C. Corridor Overlays

1. Special Highway Overlay Districts (-SHOD-1 and -SHOD-2)

-SHOD-1 and -SHOD-2 protect and preserve the natural scenic beauty along designated major access corridors and specified principal arterials. Maintaining the attractiveness of these corridors and arterials enhances the economic value of the community by encouraging tourism and trade. SHOD-1 and -SHOD-2 are established for the purpose of:

- a. Protecting the public investment in and lengthening the time during which major access corridors and specified principal arterials can continue to serve their functions without expansion or relocation by expediting the free flow of traffic and reducing the hazards arising from unnecessary points of ingress and egress and cluttered roadside development;
- b. Reducing the costs of future roadway expansions by requiring that buildings and structures be sufficiently set back from the right-of-way to provide adequate storage for vehicles until they can safely enter the highway;
- c. Reserving adequate roadside space through which neighborhood traffic may be admitted to and from the roadway system in a manner that avoids undue traffic concentrations, sudden turning and stopping, and other hazards; and
- d. In contrast to -SHOD-1, -SHOD-2 contains no additional height or gross site size. -SHOD-2 requires a narrower protective yard and less planting than -SHOD-1.

D. Character Protection Overlays

1. General Historic Overlay District (-HOD-G)

- a. The -HOD-G preserves and protects certain areas, structures, buildings and objects within the City's zoning jurisdiction that are considered to be a valued and important asset and have special significance in terms of one or more of the following: history, prehistory, archaeology, architecture and culture and possess integrity of design, setting, materials, feeling and association.

- b. Regulations promote the use of and conservation of Historic Districts for the education, pleasure and enrichment of the residents of Raleigh, Wake County and the State of North Carolina.

2. Streetside Historic Overlay District (-HOD-S)

- a. The -HOD-S preserves and protects certain areas, structures, buildings and objects within the City's zoning jurisdiction that are considered to be a valued and important asset and have special significance in terms of one or more of the following: history, prehistory, archaeology, architecture and culture and possess integrity of design, setting, materials, feeling and association.
- b. Regulations promote the use of and conservation of Historic Districts for education, pleasure and enrichment of the residents of Raleigh, Wake County and the State of North Carolina.
- c. In contrast to the -HOD-G, a -HOD-S applies only to structures as viewed from the adjacent street.

3. Neighborhood Conservation District (-NCOD)

- a. The -NCOD preserves and enhances the general quality and appearance of older neighborhoods, for it is recognized that built environmental characteristics are a major part of the identity and positive image of the City.
- b. Through the regulation of street design, greenways, rights-of-way and built environmental characteristics, -NCOD stabilizes and improves property values and promotes local design qualities.
- c. By respecting the context of existing built environmental characteristics, the -NCOD reduces conflicts between new construction and existing development, and it encourages compatible infill development.

E. Transit Overlays

1. Transit Overlay District (-TOD)

- a. The -TOD allows for compact, mixed-use development around planned transit stations as designated on the Urban Form Map or in an adopted station area plan.
- b. The -TOD mixes residential, retail, office, and public uses in a walkable environment, making it convenient for residents and employees to travel by transit, bicycle, foot or car.

Article 5.2. Environmental Overlays

Sec. 5.2.1. Airport Overlay District (-AOD)

A. Uses

1. Permitted Uses

Unless prohibited in paragraph 3. below, those uses permitted in the underlying district shall be permitted in the -AOD. In addition, the following uses are subject to the use standards stated in paragraph 2. below.

- a. Allowed outdoor storage under Sec. 7.5.3; and
- b. Bituminous concrete facilities and concrete and cement mixing plants, including their outdoor storage of materials used in production.

2. Use Standards for Allowed Uses

The following use standards apply to those uses identified in paragraph 1 above. Uses shall be fully shielded with either a permanent overhead cover or a canopy of shade trees that meets all of the following:

- a. There must be at least one locally-adapted shade tree for every 2,000 square feet of total site area.
- b. The shade trees must be adequately protected from damage due to activities performed or materials stored on the site.
- c. The shade trees must be distributed within the site area so that at maturity the expected combined tree canopy covers at least 35% of the site area.
- d. If the site area is greater than five acres, the site must be divided in segments of no greater than five acres in size and all segments must be separated from one another by an expected canopy of shade trees at least 100 feet wide.
- e. Compliance with all the above conditions must be achieved without including trees located in a required protective yard.

3. Prohibited Uses

The following uses are prohibited in a -AOD:

- a. All household living;

- b. All group living;
- c. All social service;
- d. All civic except for cemeteries, and police, fire and EMS stations;
- e. Day cares;
- f. Hospitals;
- g. Detention centers, jails, prisons;
- h. Mining, quarries, landfills;
- i. Off-premise signs; and
- j. Any use that involves dangerous, noxious or offensive activity that has excessive smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause.

B. Setbacks and Height

1. Setbacks

The setbacks of the underlying district apply in the -AOD.

2. Height

The maximum height limits of the underlying zoning district apply unless the height regulations adopted by the Raleigh-Durham Airport Authority are more restrictive, in which case the more restrictive height limits apply.

C. Supplemental Regulations

1. Lighting

All outdoor lighting shall be full cutoff. FAA-approved warning lights to mark obstructions to aircraft are exempted from this regulation.

2. Rooftops

Rooftops shall be uniform in color and made of non-reflective material.

Sec. 5.2.2. Metro-Park Overlay District (-MPOD)

A. Permitted Uses

Uses permitted in the underlying district are permitted in an -MPOD.

B. Prohibited Uses and Activities

Prohibited uses and activities in an -MPOD:

1. Any establishment, use or trade that emits detectable odor at a Metro-Park boundary more than 15 minutes in any one day or more than two days out of the calendar month.
2. Above-ground storage of hazardous waste, as defined in the Code of Federal Regulations 2161.3 and 263.33, or as the same may be amended by law, except up to 55 gallons which shall be stored inside a fully impervious structure. This prohibition does not include underground storage in tanks which meet applicable fire prevention standards and federal and state regulations and otherwise comply with the City Code.
3. Use of outdoor speakers within 500 feet of a Metro-Park boundary.

C. Setbacks

1. Separation and Protective Yards

- a. The setbacks of the underlying zoning district shall apply with the exception that any portion of a lot abutting a Metro-Park boundary requires a 50-foot protective yard along the entire length of the property boundary unless the yard qualifies as tree conservation area under **Sec. 9.1**, in which case the setback shall be 32 feet.
- b. No tree or land disturbing activity, animal pen, structure or vehicular surface area, may be located within 32 feet of the Metro-Park boundary.

2. Natural Resource Buffer Yards

All watercourses that both drain into a Metro-Park and have concentrated flow from a drainage area of at least five acres must contain a natural resource buffer yard in accordance with **Sec. 9.2.3**.

3. Height

- a. Buildings and structures located within 1,000 feet of a Metro-Park boundary shall be limited to a maximum height of 45 feet, provided that no building is greater than 2½ stories.
- b. Buildings and structures not otherwise restricted to a lower height located further than 1,000 feet from a Metro-Park boundary, which are more than 45 feet high or contain more than 2½ stories can add 25 feet of additional setback from the 1,000-foot distance from the edge of the Metro-Park boundary for each foot of height greater than 45 feet.

D. Supplementary Regulations

1. Lighting

- a. No exterior lighting may cause illumination in excess of 0.4 footcandles measured at the boundary of the Metro-Park.
- b. Full-cutoff lights must be used for all lighting.
- c. No external illumination of buildings that face the boundary of the Metro-Park is allowed except for the exterior lighting of building entrances, exits or loading docks.
- d. No provision of a -MPOD shall be in conflict with applicable FAA lighting regulations.

2. Impervious Surface Coverage

Excluding streets, impervious surface areas may not be added so that the impervious surface lot coverage exceeds 60%. Impervious surface coverage greater than 30% but less than 60% of the lot is allowed when all of the following are met:

a. Tree Inventory

- i. An inventory of existing trees, 10 inches DBH or greater, is shown on the site plan when trees are located within a protective yard.
- ii. At a minimum, the inventory must contain the scientific name and caliper of all trees identified on the inventory.

b. Report

A written report is submitted with the site plan identifying any tree on the inventory which is to be removed or its critical root zone disturbed.

c. Replacement

- i. If grading or tree removal is proposed to occur in a protective yard, a detailed planting plan using primarily indigenous species not less than 3½-inch caliper or more than six inch caliper for a total of at least one-half the diameter of trees removed or graded must first be submitted to and approved by the City.
- ii. The plan must provide equal or greater reduction of the perceived intensity of the site or surrounding area than that which would have been achieved if grading, tree removal, and impervious surfaces in excess of 30% were not undertaken.
- iii. When replacements would overcrowd the particular area to be replanted, the owner may submit alternative measures for consideration for:
 - a) Replacing elsewhere on the site where more appropriate; or
 - b) Replacing off-site where reforestation is desired, and easements can be obtained.
- iv. No alternative measure shall lessen any other landscaping requirement of this UDO.
- v. The provisions of this subsection do not apply to the removal of dead, damaged, or diseased trees caused by natural conditions.

E. Hardships

1. In those instances where the Board of Adjustment determines that the application of these regulations would deprive the landowners of reasonable use of their land, the Board of Adjustment may alter the impervious surface coverage limits, increase height restrictions, and reduce the widths of the protective yard as determined necessary.
2. Maintenance of protective yard should be given the highest priority by the Board of Adjustment when making its determination to modify one or more of these regulations.

F. Existing Structures, Uses and Impervious Surfaces

1. Structures, uses and impervious surfaces existing at the time that the -MPOD is first applied to the property shall not be deemed a zoning nonconformity solely because of the overlay district.
2. All additions, changes, expansions, and alterations to existing structures, impervious surfaces and uses must comply with the regulations of the -MPOD, unless the Board of Adjustment under **Sec. 10.3.6** approves the addition, change, expansion, or alteration as if the existing structure or use were made nonconforming by application of a -MPOD.

Sec. 5.2.3. Urban Watershed Protection Overlay District (-UWPOD)

A. Base Standards Apply

Unless specifically set forth in this section, allowed uses, dimensional requirements, height limits and general development standards of the underlying zoning district apply.

B. Prohibited Uses

The following uses are prohibited:

1. New landfills.
2. New sites for land application of sludge, residuals, or petroleum contaminated soils.

C. Additional Development Standards

Watercourse buffer, impervious surface, stormwater runoff and water quality requirements are set forth in [Sec. 9.5.1.](#)

Sec. 5.2.4. Falls Watershed Protection Overlay District (-FWPOD)

A. Base Standards Apply

Unless specifically set forth in this section, allowed uses, dimensional requirements, height limits and general development standards of the underlying zoning district apply.

B. Prohibited Uses

The following uses are prohibited:

1. New landfills.
2. New sites for land application of sludge, residuals, or petroleum contaminated soils.

C. Additional Development Standards

Watercourse buffer, impervious surface, stormwater runoff and water quality requirements are set forth in [Sec. 9.5.2.](#)

Sec. 5.2.5. Swift Creek Watershed Protection Overlay District (-SWPOD)

A. Base Standards Apply

Unless specifically set forth in this section, allowed uses, dimensional requirements, height limits and general development standards of the underlying zoning district apply.

B. Prohibited Uses

The following uses are prohibited:

1. New landfills.
2. New sites for land application of sludge, residuals, or petroleum contaminated soils.

C. Additional Development Standards

Watercourse buffer, impervious surface, stormwater runoff and water quality requirements are set forth in [Sec. 9.5.3.](#)

Article 5.3. Corridor Overlays

Sec. 5.3.1. Special Highway Overlay Districts (-SHOD-)

A. District Designation

1. -SHOD-1 and -SHOD-2 are located on either side of a Major Access Corridor, Thoroughfare, or Arterial, near or adjacent to Metro-Parks, airports, research parks, or Wake County Special Highway Overlay Districts, beginning at the outer edge of the right-of-way.
2. Each Special Highway overlay district should be 1,000 to 1,500 feet deep, except a lesser distance should be applied where identifiable conditions exist to screen the visibility of motorists.
3. District boundaries should follow identifiable boundaries whenever possible. However, when a new right-of-way has been established by the Comprehensive Plan, the district boundaries shall be calculated from the newly established right-of-way line.

B. Prohibited Uses

Off-premise signs are prohibited.

C. Lot Area and Subdivision

1. The minimum gross site size is two acres within -SHOD-1, except for dwellings, congregate care facilities or life care communities.
2. Lots and uses that on site less than two acres in size are not to be deemed nonconforming by virtue of this Article, nor shall this Article prevent the subdivision of tracts into lots of less than two acres if a unity of development plan is approved by the City for the entire subdivision prior to its subdivision.
3. Uses and lots must be developed in accordance with a unified plan for landscaping, access, parking, loading, lighting, noise, and siting of buildings.

D. Protective Yards

1. In General

- a. If there is a conflict between a protective yard required by a Special Highway overlay district and a protective yard established by the underlying district, the a protective yard with the greater width controls.

- b. Where necessity requires the location of a public or private utility easement adjacent to the Major Access Corridor that prohibits locating the required planting of the protective yard immediately adjacent to the right-of-way, the required protective yard must be provided adjacent to the utility easement.

2. Protective Yards in -SHOD-1

- a. Any portion of a lot abutting a Major Access Corridor requires a 50-foot protective yard landscaped in accordance with [Sec. 5.3.1.F](#). When two Major Access Corridors intersect, the 50-foot wide protective yard applies for the entire length adjoining the Major Access Corridor inside the -SHOD-1.
- b. Any portion of a lot abutting a Major Access Corridor where the property both adjoins and gains access from a public Marginal Access Street and parallel to a Major Access Corridor requires a 25-foot protective yard landscaped in accordance with [Sec. 5.3.1.F](#).
- c. Any portion of a lot abutting a Thoroughfare or Commercial Street, other than a Major Access Corridor, that intersects with and gains access from a Major Access Corridor requires a 50-foot protective yard for a distance of 200 feet from the intersection of the rights-of-way. All protective yards must be landscaped in accordance with [Sec. 5.3.1.F](#).

3. Protective Yards in -SHOD-2

- a. Any portion of a lot abutting a Major Access Corridor requires a 25-foot protective yard landscaped in accordance with [Sec. 5.3.1.F](#). When two Major Access Corridors intersect, the 25-foot wide protective yard must apply for the entire length adjoining the Major Access Corridor inside the -SHOD-2.
- b. Any portion of a lot abutting a Major Access Corridor where the property both adjoins and gains access from a public Marginal Access Street and parallel to a Major Access Corridor requires a 25-foot protective yard landscaped in accordance with [Sec. 5.3.1.F](#).
- c. Any portion of a lot abutting a Thoroughfare or Commercial Street, other than a Major Access Corridor, that intersects with and gains access from a Major Access Corridor requires a 25-foot protective yard for a distance of 200 feet from the intersection of the rights-of-way. All protective yards must be landscaped in accordance with [Sec. 5.3.1.F](#).

E. Height

1. Height in -SHOD-1

Buildings and structures cannot exceed a height of 75 feet or five stories.

2. Height in -SHOD-2

Buildings and structures cannot exceed the maximum allowed height of the underlying district.

F. Planting Requirements in Protective Yards

1. Required Plant Materials

All required protective yards shall contain the following plantings.

	Planting per 100 Lineal Feet	
	SHOD-1	SHOD-1
Shade Trees		
Deciduous	7	3
Evergreen	3	2
Understory Trees	6	3
Shrubs	32	16
% Deciduous (max)	40%	40%
Shrub Alternates	Wall, Fence or Berm	Wall, Fence or Berm

2. Shade Trees

- All required trees must be a locally adapted species with an expected mature height of 35 feet or greater and an expected mature crown spread of at least 30 feet or greater unless subject to an overhead power line in which case the mature height may be less.
- Each deciduous tree must be at least 14 feet in height and have a minimum caliper of 3½ inches at time of planting.
- Each evergreen tree must be at least eight feet in height and have a minimum caliper of two inches at time of planting.
- Two evergreen trees a minimum of 4½ feet in height when planted may be substituted for each required evergreen tree.

- Trees cannot be planted within a tree conservation area or the critical root zone of an existing tree and must be planted at least 15 feet from any other tree and no further than 50 feet from any other tree, measured from tree trunk to tree trunk.

3. Understory Trees

- Understory trees must be a locally-adapted species with an expected mature height of at least 15 feet an expected mature crown spread of at least 15 feet.
- Each understory tree must be a minimum height of six feet tall at time of planting.
- Trees cannot be planted within a tree conservation area or the critical root zone of an existing tree and must be planted at least 15 feet from any other tree and no further than 50 feet from any other tree, measured from tree trunk to tree trunk.

4. Shrubs

- All shrubs must be locally-adapted species, and when planted must be a minimum height of 24 inches. The expected maintained minimum height of the shrubs must be five feet within three years of planting.
- Shrub planting must form at least one continuous row of shrubs spaced five feet on center across the entire protective yard except for driveways. Shrubs must be planted outside of and adjacent to any tree conservation area. Shrubs cannot be planted within the critical root zone of any tree in protective yards that are not tree conservation areas.
- Either a wall or a solid fence at least five feet in height may be erected in lieu of the required shrubs in protective yards that are not tree conservation areas. The wall or fence in terms of appearance, texture, and quality, must be made of the same or compatible material and color as the principal building. The erected wall or fence must be landscaped so that no more than two-thirds of its surface area will be visible within three years after the erection of the structure; 40% of the plant material may be deciduous. No planting is required for decorative fences.
- A berm with a minimum height of three feet, measured perpendicular to the center of the crown, may be substituted for a portion of the required shrubs. The berm must contain a rounded crown suitable for planting,

and have a stabilized side slope of no greater than three-to-one. A steeper side slope may be used in exceptional cases when all of the following are met:

- i. This steeper slope is sufficiently stabilized; and
- ii. The landscape objectives of the overlay district are better achieved; and
- iii. Physical constraints of the site prevent the use of a flatter slope.
- e. The berm must be planted with three-fourths of the required number of shrubs.
- f. Shrubs planted on the berm may have a lesser mature height; provided that the expected combined height of the berm and planting after three years is five feet.
- g. A berm cannot be built in any protective yard whenever the protective yard is also a tree conservation area.

5. General

- a. Maintenance of a required protective yard must conform to **Sec. 7.2.4.D.**
- b. No protective yard may remain denuded or exposed with bare soil.
- c. The location of required landscaping may not obstruct the views of motorists using any street, private driveway, or the approach to any street intersection so as to constitute a traffic hazard, a condition dangerous to the public safety, or violate the specifications under the Raleigh Street Design Manual.

G. Existing Vegetation

1. General

Where the protective yard basal area is less than 50 for each 50 linear feet, existing vegetation that meets or exceeds the quantity, spacing, and height standards may be used to satisfy the protective yard requirements. Where the protective yard basal area is 50 or more for each 50 linear feet, such areas shall be primary tree conservation areas and must meet the requirements of **Article 9.1.**

2. Tree Preservation Credit

Preservation of existing live natural trees between the principal building and the street right-of-way can be credited towards the tree planting requirements of this section.

a. Method of Calculation and Minimum Size

Credit toward the required number of trees for each 100 feet will be given on a tree-for-tree basis for each preserved tree three inches DBH and larger provided such trees are evenly distributed across each 100 feet.

b. Protected Ground Area

- i. The critical root zone of each preserved tree must be entirely within the protective yard with no tree disturbing activity within any critical root zone.
- ii. During construction, the protective yard shall be protected with a tree protection fence. Credit for existing trees will not be allowed if there are any tree disturbing activities or encroachments in the protective yard.

c. Unsafe and Diseased Trees

No credit is allowed for any tree if the tree is unhealthy or dead or is a hazardous tree. The death of or replacement of any preserved tree which was used for credit requires the owner to plant new trees equal to the number of credited trees; such plantings must meet the requirements of this section.

d. Minimum Tree Requirements

In no case may credits for preserved trees eliminate the shade and understory tree spacing requirement above; no protective yard may contain less than one tree.

3. Reduction of Shrubs

The amount of required shrubs may be reduced by 50% if existing trees located in the protective yard meet the space, quantity, and specification requirements are at least 25 feet tall and are preserved and protected from encroachments under **paragraph 2.b above.**

4. Supplemental Planting

Supplemental plantings may be required, if it can be reasonably inferred that after five years, the existing vegetation will not meet the requirements of this section. Where such supplemental plantings are required, the plantings must meet the requirements of [Sec. 5.3.1.F](#).

H. Expansions and Additions

1. General Requirements

Any new and expanded loading, utility service, and display area, building, structure, surface area of the use, or vehicular surface may not locate in any protective yard.

2. In -SHOD-1

- a. A protective yard at least 12 feet wide and containing 25% of the plantings required in [Sec. 5.3.1.F](#) must be provided on the property if the gross floor area, surface area, vehicular surface area, or any combination is increased by 25% of the existing area.
- b. For each additional percent of expansion greater than 25%, an additional 1½ feet of protective yard width and three percent of additional planting material must be added to the initial requirements until 100% of the requirements are met.

3. In -SHOD-2

- a. A protective yard at least 10 feet wide and containing 40% of the plantings required in [Sec. 5.3.1.F](#) must be provided on the property if the gross floor area, surface area, vehicular surface area, or any combination is increased by 25% of the existing area.
- b. For each additional percent of expansion greater than 25%, an additional factor of six-tenths of foot of protective yard width and two and four tenths percent of additional planting material of must be added to the initial requirements until 100% of the requirements are met.

I. Lighting

1. All outdoor lighting shall be full cutoff.
2. No exterior lighting may cause illumination in excess of four-tenths maintained footcandle on any lot containing a dwelling, congregate care facility, life care community, or Residential District.

J. Outdoor Service Facilities

Any outdoor pay window, drive-in facility, drive-thru facility, automated teller machine, or any other outdoor service facility that is located on a lot that abuts a dwelling, congregate care facility, life care community, or a Residential District, other than in a street, must be located at least 100 feet away from the abutting property line.

Article 5.4. Character Protection Overlays

Sec. 5.4.1. General Historic Overlay District (-HOD-G)

A. Applicability

This section applies to all individual Historic Landmarks and each General Historic Overlay District (-HOD-G) designated by the City Council.

B. Purpose and Objectives

1. The -HOD-G is intended to preserve the historic significance of properties that are formally designated by the City. Locally designated historic districts are areas which are deemed to be of special significance in terms of their history, prehistory, architecture, archeology or culture, and to possess integrity of design, setting, materials, feeling, and association. The -HOD-G seeks to preserve the overall historic character of the district, as well as the key, character-defining details of each of the contributing resources, and to assure that new construction is compatible with this historic context.
2. The -HOD-G has the following objectives:
 - a. To promote the preservation and continued use of individual properties and districts of historic significance;
 - b. To preserve the integrity of historically significant resources;
 - c. To support sustainability by reusing existing built resources; and
 - d. To assure that new construction is compatible with the historic context of landmark properties and historic districts.

C. Certificate of Appropriateness Required

1. In addition to all other approval processes, within the -HOD-G, and for any Historic Landmark, no portion of the exterior features of any building or other structure (including walls, fences, light fixtures, steps, pavement, path, or any other appurtenant features), trees, nor above ground utility structure nor any type of outdoor advertising sign, or portion of the designated interior features of a Historic Landmark is to be erected, altered, restored, demolished, or moved unless and until after an application for a Certificate of Appropriateness as to the exterior features, or portion of the designated interior features of a Historic Landmark, has been submitted and approved.

2. A Certificate of Appropriateness shall be issued prior to any application for a building permit or other permit granted for the purpose of constructing, altering, moving or demolishing structures or appurtenant features being made, and shall be issued or denied, subject to such reasonable conditions as the Historic Development Commission may impose, according to such procedures as may be set forth elsewhere in this UDO or adopted by the Historic Development Commission.
3. A Certificate of Appropriateness shall be required for all activities specified in this section whether a building permit or other permit is otherwise required or not; except that no Certificate of Appropriateness shall be required for:
 - a. The ordinary maintenance or repair of any features that do not involve a change in:
 - i. Design;
 - ii. Material;
 - iii. Color; or
 - iv. Outer appearance.
 - b. The construction, reconstruction, alteration, restoration, moving, or demolition of any feature which the Deputy Inspections Director certifies is required by the public safety because of an unsafe or dangerous condition.
 - c. In the event of equipment failure, accidental damage or natural occurrences (such as electrical storms, tornadoes, ice storms and the like), the ordinary maintenance or repair of:
 - i. Streets;
 - ii. Sidewalks;
 - iii. Pavement markings;
 - iv. Above-ground utility service lines; or
 - v. Street signs, traffic signs or replacement of streetlight fixtures.
4. All of the provisions of this section are applicable to construction, alteration, restoration, moving, and demolition by the State of North Carolina, its political subdivisions, agencies, instrumentalities, and public utilities.
5. Individual certificates of appropriateness for each change may be requested, or if the activity is of the same character and involves a number of objects,

as is the case with utility pole replacement, a programmatic certificate of appropriateness may be requested.

D. Prohibited Activities

1. Prohibited activities within a -HOD-G or Historic Landmark include the following when conducted without an approved Certificate of Appropriateness:
 - a. The erection, alteration, changing, restoration, moving, or demolition of:
 - i. Any entire building or structure;
 - ii. Any exterior features of a building or structure;
 - iii. Any site features (including walls, fences, light fixtures, steps, pavement, paths, or any other appurtenant features);
 - iv. Trees;
 - v. Any above-ground utility structure;
 - vi. Any type of outdoor advertising sign; or
 - vii. Any portion of the designated interior features of a Historic Landmark.
 - b. The demolition by neglect (Article 11.8) of:
 - i. Any contributing building or structure;
 - ii. Any exterior features of a contributing building or structure;
 - iii. Site features (including walls, fences, light fixtures, steps, pavement, paths, or any other appurtenant features); or
 - iv. Any contributing outdoor advertising sign.
2. The demolition of any entire building, site, or structure within a pending -HOD-G or pending Historic Landmark is prohibited when conducted without an approved Certificate of Appropriateness:
 - a. Any demolition during the pending designation may be delayed for a period up to 180 days from the date of issuance (unless the Historic Development Commission votes to waive or shorten it) or until the City Council takes final action, whichever occurs first.
 - b. Should the City Council approve the designation prior to the expiration of the 180 day delay period, a new application for a certificate of appropriateness for demolition must then be filed; however, the

maximum period of delay for such demolition certificate shall be reduced by the Historic Development Commission equal to the period of delay while the designation was pending.

E. Setbacks

1. The minimum and maximum setbacks within the -HOD-G and for Historic Landmarks shall be equal to the setbacks of typical well-related nearby buildings and structures in the overlay district, and equal with the character of the Historic Landmark, as set forth in the historic development standards below or as defined in the designation documents or nomination.
2. Where the setbacks or allowed encroachments of the underlying district conflict with these setback requirements, the setbacks of the historic development standards shall control.

F. Height

1. Buildings and structures shall be equal to the height of typical well-related nearby buildings and structures in the overlay district, and equal with the character of the Historic Landmark, as set forth in the historic development standards below or as defined in the designation documents or nomination.
2. Where the height regulations or allowed height encroachments of the underlying district conflict with these height requirements, the height requirements of the historic development standards shall control.

G. Signs

No sign shall be erected, altered, restored or moved except in compliance with a Certificate of Appropriateness.

H. Historic Development Standards

1. See documents entitled: "Design Guidelines for Raleigh Historic Districts," "The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings," and "The Secretary of the Interior's Standards for the Treatment of Historic Properties and the Guidelines for the Treatment of Cultural Landscapes." These documents are incorporated by reference as authorized by N.C. Gen. Stat. §160A-76, are made a part of this UDO and are on file with the Planning and Development Department. These documents contain architectural guidelines and design standards that will be applied in considering applications for Certificates of Appropriateness to

ensure as far as possible that the exterior features of buildings, structures, and their associated features located within a -HOD-G, and designated as a Historic Landmark, remain in harmony with other buildings, structures and appurtenant features in the overlay district, and the character of the Historic Landmark.

2. The current edition of “The Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings” shall be the sole standards and guidelines used in reviewing applications submitted by the State of North Carolina for a Certificates of Appropriateness.
3. The issuance of a Certificate of Appropriateness shall not be prohibited in situations where, owing to special conditions affecting the structure (such as topography, availability of materials, and lot size) but not affecting the -HOD-G or Historic Landmarks generally, compliance with the historic development standards would cause an unusual and unnecessary hardship on the property owner beyond that which other property owners in the -HOD-G or of Historic Landmarks would meet.

Sec. 5.4.2. Streetside Historic Overlay District (-HOD-S)

A. Purpose and Objectives

1. The -HOD-S is established to provide for protection of the traditional development patterns of an area and to preserve historic resources found in it. The focus is on maintaining that character and on preserving those key character-defining features of individual historic resources within the district, as viewed from the street (as further defined below).
2. A -HOD-S consists of areas that are deemed to be of special significance in terms of their history, prehistory, architecture, archeology or culture, and to possess integrity of design, setting, materials, feeling, and association.
3. The -HOD-S has the following objectives:
 - a. To promote the preservation and continued use of areas that contain a number of properties of historic significance;
 - b. To preserve the integrity of historically significant resources found in the area;
 - c. To support sustainability by reusing existing built resources; and
 - d. To assure that new construction is compatible with the broader characteristics of the historic context of area, as viewed from the street.

B. Applicability

1. This section applies to each -HOD-S designated by the City Council.
2. The provisions of Sec. 5.4.1.C through H. govern the administration of a -HOD-S, but apply only to the following areas within the boundaries of each -HOD-S:
 - a. The public right-of-way for primary and side streets;
 - b. The lot area between the public rights-of-way and the facade of any existing primary building or structure;
 - c. 25% of the depth of the lot area adjacent to the public right-of-way for vacant lots;
 - d. The first 50% of the depth of any existing principal building from the facade adjacent to a public right-of-way;
 - e. Any addition to a building or structure that projects beyond an existing building’s maximum front and side wall and roof plane envelope, regardless of distance from the public right-of-way;
 - f. The entirety of any new principal building construction on a vacant lot;
 - g. The entirety of any new accessory building construction located in whole or in part in areas b. through d. above.
 - h. The entirety of any Historic Landmark and its designated boundary area that may be located within a -HOD-S.

[INSERT DIAGRAMS THAT ILLUSTRATE THE REGULATED AREAS]

Sec. 5.4.3. Neighborhood Conservation District (-NCOD)

A. Applicability

1. No building, structure, street, right-of-way, or greenway shall be constructed, moved, altered, changed, or increased in size within a -NCOD except in conformity with the regulations contained in this section for the adopted -NCOD.
2. All lots and structures existing at the time that the -NCOD is first applied to the property shall not be deemed nonconforming solely because of this overlay district.
3. All additions, changes, expansions, and alterations to existing structures, impervious surfaces and uses must comply with the regulations of the -NCOD, unless the Board of Adjustment under [Sec. 10.3.6](#) approves the addition, change, expansion, or alteration as if the existing structure or use were made nonconforming by application of a -NCOD.

B. Locational Guidelines

Except for applications filed by the City or otherwise authorized by the City Council, the Planning and Development Department is instructed not to accept -NCOD applications unless the application meets all the following:

1. Is requesting that either at least a minimum of 15 contiguous acres be zoned -NCOD or that an existing -NCOD be extended. If allowed in the underlying zoning district, all uses in the civic use category can be excluded when determining the minimum 15 acre requirement.
2. Is signed by a majority of the property owners within the area proposed to be rezoned -NCOD.
3. Is applied to an area where at least 75% of the lots are developed.
4. It is located in an area in which the City Council has adopted into [Sec. 5.4.3.D](#) specific neighborhood built environmental characteristics and regulations.

C. Designation of a -NCOD

1. Within four years following the City Council adoption of specific neighborhood built environmental characteristics and regulations, the Planning and Development Department may accept an application rezone property to a -NCOD.

2. Following the City's official acceptance of an application to rezone property to a -NCOD, no construction permit shall be issued or subdivision or recombination be approved by the City during the pendency of the application to amend the Official Zoning Map unless the proposed construction or the proposed subdivision or recombination meets all of the provisions of the existing zoning district, and also the adopted neighborhood built environmental characteristics and regulations contained in [Sec. 5.4.3.D](#) for the proposed -NCOD.

D. Approval Process

Application's to rezone a property to a -NCOD shall be in accordance with the following process.

1. Submittal of a petition to the City Clerk requesting City Council consideration for a neighborhood built environmental characteristics and regulations analysis. The petition shall define the study area, provide evidence to support that the area complies with the locational guidelines, identify the specific built environmental characteristics and regulations to be analyzed. Prior to the petition being scheduled for the City Council meeting, the Planning and Development Department shall be granted a two-week period to review the adequacy of the petition and prepare a compliance report consistent to accompany the City Council's receipt of the petition.
2. Following City Council's review of the petition, the City Council shall determine whether to direct the Planning and Development Department to complete the neighborhood built environmental characteristics and regulations analysis.
3. In accordance with City Council's directive, the Planning and Development Department shall complete an analysis of the specific built environmental characteristics and regulations for the neighborhood study area and identify the specific built environmental characteristics and regulations that reflect the predominant representation of the lots within the neighborhood study area. For the purposes of this paragraph, predominant shall mean greater than 75%. Upon completion of the analysis, the Planning and Development Department shall by first class mail notify all persons owning property within the study area the results of the analysis and the date, time and location of a meeting to be held for the neighborhood. The notice shall be mailed between 14 and 21 days prior to the date of the scheduled neighborhood meeting. Following the neighborhood meeting, the neighborhood built

environmental characteristics and regulations analysis and summary of the neighborhood meeting shall be presented to the City Council.

4. Upon receiving the neighborhood built environmental characteristics and regulations analysis, the City Council shall review the results of the analysis and determine whether to authorize a public hearing to propose any specific neighborhood built environmental characteristics and regulations into this section. If the City Council proposes that specific built environmental characteristics and regulations for the neighborhood study area be considered for inclusion in this section, a text change public hearing shall be held.
5. If the City Council adopts a text change incorporating specific neighborhood built environmental characteristics and regulations into this section, an application to rezone property within the designated neighborhood study area to a -NCOD in order to apply the adopted built environmental characteristics and regulations may be accepted by the Department of Planning and Development within a four-year period following the adoption of the regulations. Following the adoption of the initial -NCOD, the Department of Planning and Development may accept an application to expand a specific -NCOD and applicable built environmental characteristics and regulations for properties either located within the original neighborhood study area or contiguous to it.
6. Following the original adoption of specific neighborhood built environmental characteristics and regulations into this section, any subsequent proposed text change to revise the specific neighborhood built environmental characteristics and regulations in this section, having first been authorized by City Council, shall require the applicant to notify by first class mail all persons owning property (mailing addresses as shown on the County tax abstract at the time of the City Council's authorization of the public hearing) within the original neighborhood study area. The notification shall identify the proposed changes and inform the property owners of the date, time and location of the scheduled public hearing. Within a period of no more than 25 days nor less than 15 days prior to the date of the scheduled public hearing, the applicant shall deliver a copy of the letter and the sealed, addressed, stamped envelopes to the Department of Planning and Development.

E. Development Standards

Subject to any other applicable -NCOD, the development standards listed below shall apply as stated in this section for the specific adopted -NCOD:

1. Required minimum net area for any dwelling unit;
2. Maximum residential density;
3. Setbacks;
4. Height; and
5. Vehicular surface areas.

F. Neighborhood Built Environmental Characteristics and Regulations

Following the adoption of both neighborhood built environmental characteristics and regulations by the City Council and the approval of a -NCOD in accordance with this section for properties located within the specifically designated neighborhood listed below, the following neighborhood built environmental characteristics and regulations for properties located within the applicable neighborhood shall control.

1. Avent West Neighborhood

Not applicable unless an Official -NCOD Zoning Map Amendment is submitted by July 1, 2012 and subsequently approved.

- a. Minimum lot size: 14,526 square feet.
- b. Maximum lot size: 21,779 square feet.
- c. Minimum lot width: Within 10% of the median lot width on the block face, but not less than 40 feet.
- d. Lot arrangement: Lot lines shall be angled from the street in a similar manner to the angle that is typical of the surrounding peripheral lots and consisting of no more than five sides. Lots shall not be configured in such a way that building envelopes for houses are placed one behind the other when viewed from the street.
- e. Front yard setback: Within 10% of the median front yard setbacks on the opposite block face and the block face containing the subject property, but not less than 30 feet.

- f. Side yard setbacks: A minimum of 20 feet from the adjacent property line where possible but otherwise within 10% of the median side yard and corner side yard setbacks on the opposite block face and the block face containing the subject property, but not less than 10% feet.
- g. Maximum building height: 30 feet from natural grade to one-half of the roof pitch or no greater than one story (12 feet) taller than the shortest adjacent house.
- h. Building entrance: The main entry of a house is to face the street of its address with the exception of corner lots.
- i. Vehicular surface areas: Parking in front yards and corner side yards is to be restricted to paved parking within driveway areas, garages and carports only. Individual lots shall be limited to a single curb cut and driveways shall be a maximum of 10 feet in width at the curb and within the required front yard setback and a maximum of 18 feet in width on all other portions of the property. In no instance may more than 25% of the front house width be paved for parking, driveway or garage use. For multifamily dwellings, parking lots are to be paved and located to the rear or side of the primary structure or structures as viewed from a public street. If located on the side of the structure or structures, parking lots may not abut a public street for more than 40% of the primary frontage of the property.

2. Brookhaven Neighborhood

a. South District (south of Millbrook Road)

- i. Minimum lot size: 20,000 square feet.
- ii. Lot width at the building setback line: Minimum of 100 feet.
- iii. Front yard setback: Minimum of 50 feet.
- iv. Maximum building height: 2½ stories.

b. North District (north of Millbrook Road)

- i. Minimum lot size: 14,000 square feet.
- ii. Maximum building height: 2½ stories.

3. Cameron Park Neighborhood

a. Core Area

- i. Maximum lot size: 21,779 square feet.
- ii. Front yard setback: Within 10% of the average front yard setback of houses on the same block face. No portion of any garage or carport shall protrude beyond the primary facade of the principal structure. Covered porches shall be considered part of the primary facade. For corner lots with driveway access from the secondary side, attached garage entrances must be set back at least 10 feet from the secondary side building elevation. A secondary side elevation is the alternative side of a corner lot house that faces a roadway, but does not include a primary entrance to the house.
- iii. Side yard setback: Within five feet of the average side yard setback and corner side yard setback of other properties on the block face, but no less than five feet.
- iv. Setback for accessory structures: Side and rear yard setbacks for accessory structures, including those greater than 150 square feet shall be a minimum of three feet.
- v. Maximum building height: 30 feet with the exception of those lots fronting on Park Drive between Oberlin Road and Forest Road (except the lots fronting the south side of Park Drive, between Oberlin Road and Groveland Avenue), all lots fronting on West Johnson Street and on the south side of Peace Street, and the three lots fronting the south side and the four lots fronting the north side of Park Drive immediately west of St. Mary's Street (Wake County Registry: DB 08350, PG 1823; DB 02660, PG O-E-; DB 11659, PG 1800; DB 02425, PG 0670; DB 12811, PG 0908; DB 07129, PG 0713; DB 09060, PG 1175), which shall be limited to a maximum building height of 26 feet.
- vi. Building placement and building entrance: The orientation of the building and entry level of the main entrance to the building shall be located in a manner that is the same as the majority of the buildings on the block face.

- vii. Vehicular surface areas: New driveways onto public streets shall not be allowed for lots adjacent to alleys. Within that portion of the front yard area (as measured perpendicular to the right-of-way), between the principal building and the public street, new vehicular surface area shall not be permitted except where there are no adjacent alleys and when driveways are constructed alongside the house in the shortest practical distance from the right-of-way to the rear of the building. Parking areas and any other vehicular surface area installed prior to the effective date of this ordinance shall not be deemed a zoning nonconformity. No vehicular entrance to a garage attached to the principal structure shall face the front yard. Maximum driveway width shall be limited to 12 feet for single driveways and 20 feet for shared driveways.

b. Transition Area A

Not applicable unless an Official -NCOD Zoning Map Amendment is submitted by **July 1, 2012** and subsequently approved.

- i. Front yard setback: Minimum of 20 feet.
- ii. Maximum building height: 40 feet when located within 75 feet of an adjacent Core Area lot. No building shall be permitted to cast any shadow measured at a 32-degree angle due north (approximate noon winter solstice sun angle), beyond the minimum required setback line of any adjacent residential use.
- iii. Vehicular surface areas: No parking shall be permitted within the front yard area.

c. Transition Area B

- i. Maximum building height: 40 feet when located within 75 feet of an adjacent Core Area lot.

4. Five Points East Neighborhood

a. Core Area

- i. Maximum lot size: 13,067 square feet.
- ii. Front yard setback: Within 10% of the average front yard setback of houses on the same block face as the new construction.

- iii. Maximum building height: Two stories, 35 feet. Buildings may exceed 35 feet when the average height of houses on the same block face as the new construction exceeds 35 feet, and then the allowed height shall be within 10% of the average height of houses in the same block face as the new construction.

b. Transition Area A

Not applicable unless an Official -NCOD Zoning Map Amendment is submitted by **July 1, 2012** and subsequently approved.

- i. Front yard setback: Within 20% of the average front yard setback of buildings on the same and opposite block faces as the new construction.
- ii. Maximum building height: Two stories, 35 feet. Buildings may exceed 35 feet when the average height of houses on the same block face as the new construction exceeds 35 feet, and then the allowed height shall be within 20% of the average height of houses in the same block face as the new construction.
- iii. Vehicular surface areas: Vehicular surface areas for nonresidential and multifamily structures, even if located on a separate lot, shall be located behind the principal building, and/or may be located at the side of a building if: 1) it does not extend in front of the building facade line; and 2) for any lot with street frontage in excess of 100 feet, the linear frontage of vehicular surface area facing the street, on the side of the building, does not exceed 25% of the linear street frontage of the lot. Ramp type driveways shall be used to maintain a continuous sidewalk along the block face.

5. Foxcroft Neighborhood

- a. Minimum lot size: 108,900 square feet.
- b. Minimum lot width: 200 feet as measured at the required front yard setback.
- c. Front yard setback: Minimum of 50 feet.
- d. Side yard setback: Minimum of 40 feet.
- e. Rear yard setback: Minimum of 40 feet.

- f. Setbacks for accessory structures: Side and rear yard setbacks for accessory structures shall be a minimum of 20 feet.
- g. Maximum building height: 40 feet for the principal building and 25 feet for accessory structures.

6. Glen Forest Neighborhood

- a. Minimum lot size: 17,424 square feet.
- b. Minimum lot frontage: 100 feet.
- c. Maximum building height: 35 feet.

7. King Charles Neighborhood

a. South District (south of New Bern Avenue, south of Bertie Drive and Albemarle Avenue, frontage lots on north side of Bertie Drive and Albemarle Avenue east of Locke Lane)

- i. Minimum lot size: 33,541 square feet.
- ii. Minimum lot width: 144 feet.
- iii. Front yard setback: Minimum of 76 feet.
- iv. Maximum building height: Two stories.

b. North/Central District (other parcels north of Bertie Drive and Albemarle Avenue)

Not applicable unless an Official -NCOD Zoning Map Amendment is submitted by **July 1, 2012** and subsequently approved ;

- i. Minimum lot size: 12,632 square feet.
- ii. Minimum lot width: 84 feet.
- iii. Front yard setback: Minimum of 39 feet.
- iv. Maximum building height: Two stories.

8. Laurel Hills Neighborhood

- a. Minimum lot size: 21,780 square feet.
- b. Minimum lot frontage: 45 feet.
- c. Minimum lot width: 100 feet as measured 80 feet from the front property line.
- d. Front yard setback: Minimum of 50 feet.

- e. Maximum building height: 35 feet

9. Mordecai Neighborhood

a. Conservation District 1 (west of Wake Forest Road and north of Cedar Street, except for part of the north side of Courtland Drive - see Mordecai Plan boundaries)

- i. Minimum lot size: 7,260 square feet.
- ii. Maximum lot size: 14,520 square feet.
- iii. Minimum lot width: 50 feet.
- iv. Maximum lot width: 100 feet.
- v. Front yard setback: Minimum of 35 feet.
- vi. Maximum building height: 35 feet.

b. Conservation District 2 (east of Wake Forest Road, south of Cedar Street and portions of Courtland Drive - see Mordecai Plan boundaries)

- i. Minimum lot size: 7,260 square feet.
- ii. Maximum lot size: 14,520 square feet.
- iii. Minimum lot width: 50 feet.
- iv. Maximum lot width: 100 feet.
- v. Front yard setback: Minimum of 15 feet; maximum of 25 feet.
- vi. Maximum building height: 35 feet.

10. New Bern - Edenton Neighborhood

- a. Minimum lot size: 4,000 square feet.
- b. Minimum lot frontage: 30 feet.
- c. Front yard setback: Minimum of 10 feet, maximum of 25 feet.
- d. Side yard setback: Minimum of 0 feet when minimum building separation is met.
- e. Building separation: Minimum of 10 feet.
- f. Maximum building height: 35 feet.

11. North Boylan Neighborhood

- a. Front Yard Setback: Within 10% of the average front yard setbacks established by buildings on the same side of the block face as the proposed building, but not less than five feet or greater than 25 feet.
- b. Building placement and building entrance: Buildings and their primary entrances shall be oriented towards a public street. Additional entrances may be oriented towards the block interior so long as a direct pedestrian connection is provided to the public street.
- c. Maximum building height: 24 feet with a maximum of 40 feet when the building includes a minimum roof pitch of 5:12 and the facade is detailed with a minimum four-foot offset at least every 25 linear feet of building wall and a minimum 10-foot offset at least every 50 linear feet of building wall.
- d. Vehicular surface areas: Vehicular surface areas, even if located on a separate lot, shall be located behind the principle building. A vehicular surface area may be located at the side of a building if: 1) It does not extend in front of the building facade line; 2) For any lot with street frontage in excess of 100 feet, the linear frontage of vehicular surface area facing the street does not exceed 25% of the linear street frontage of the lot. Ramp type driveways shall be used to maintain a continuous sidewalk along the block face.

12. Oakwood Park Neighborhood

- a. Minimum lot size (residential): 6,000 square feet.
- b. Minimum lot width (residential): 55 feet.
- c. Maximum lot width (residential): 80 feet.

13. Oberlin Village Neighborhood

- a. Minimum lot size: 5,000 square feet.
- b. Maximum lot size: 12,500 square feet.
- c. Minimum lot width: 50 feet.
- d. Front yard setback: Within 10% of the median front yard setback established by buildings on the same side of the block face of the proposed building.

- e. Building entrance: All buildings shall have a minimum of one entrance facing the public street.
- f. Maximum building height: 25 feet or two stories.

14. Roylene Acres Neighborhood

- a. Minimum lot size: 20,000 square feet.
- b. Minimum lot frontage: 100 feet.
- c. Front yard setback: Minimum of 50 feet.
- d. Maximum building height: 30 feet and no greater than 2½ stories.

15. Runnymede Road Neighborhood

- a. Minimum lot size: 17,424 square feet.
- b. Minimum lot frontage: 100 feet.
- c. Front yard setback: Minimum of 30 feet.
- d. Maximum building height: 24 feet as measured at the 30-foot front yard setback line. Building height may be increased one foot of height for each one foot of increase in the front yard setback beyond 30 feet.

16. South Park Neighborhood

- a. Minimum lot size: 3,000 square feet.
- b. Maximum lot size: 8,000 square feet.
- c. Minimum lot width: 40 feet.
- d. Maximum lot width: 80 feet.
- e. Front yard setback: Within 10% of the average front yard setback established by buildings on the same side of the block face of the proposed building, but not less than eight feet or greater than 30 feet.
- f. Building entrance: The main building entrance shall face the street from which the building is addressed. No upper story entrance shall be visible from an adjacent public street right-of-way.
- g. Maximum building height: 25 feet
- h. Off-street parking: Parking shall be located to the side or rear of the building. With the exception of single-family detached dwellings, no parking areas shall be located in front of any principal building. Single-family detached dwelling parking shall be regulated according to the City of Code.

17. Trailwood Neighborhood

- a. Minimum lot size: 20,000 square feet.
- b. Minimum lot frontage: 100 feet.
- c. Front yard setback: Minimum of 60 feet.
- d. Side yard setback: Minimum of 20 feet within the front 100 feet of the lot; otherwise, minimum of 10 feet.
- e. Maximum building height: 2½ stories and 30 feet from finished grade of the main entry floor.

18. West Idlewild Neighborhood

- a. Minimum lot size: 4,000 square feet.
- b. Minimum lot frontage: 30 feet .
- c. Front yard setback: Minimum of 10 feet; maximum of 25 feet.
- d. Side yard setback: Minimum of 0 feet when minimum building separation is met.
- e. Building separation: Minimum of 10 feet.
- f. Maximum building height: 35 feet.

Article 5.5. Transit Overlays

Sec. 5.5.1. Transit Overlay District (-TOD)

A. Base Standards Apply

Unless specifically set forth in this section, the allowed uses, the dimensional requirements, height limits and general development standards of the underlying zoning district apply.

B. Uses

The following uses are not allowed in a -TOD:

1. Single-unit living.
2. Two-unit living.
3. Cemetery.
4. Outdoor recreation.
5. Vehicle sales/rental.
6. Vehicle repair (major).
7. Vehicle repair (commercial vehicle).
8. Car wash.
9. Drive-thru facility.

C. Frontages

The Parkway and Detached frontages are not allowed (see Article 3.4).

D. Parking

Parking requirements for a -TOD are set forth in Sec. 7.1.3B.

E. Outdoor Storage

Limited and general outdoor storage is not allowed (see Article 7.5).